IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
CUSTOMS EXCISE APPLICATION NO. 52 OF 2000

The Commissioner of Central Excise .,.Applicant
Mumbai V

vs

M/s Super Mech Engg. .. Respondent

Mr.P.S.Jetley i.b Mr.H.P.Chaturvedi
for Applicant

CORAM : S.RADHAKRISHNAN &
V.C.DAGA, JJ

DATE : 7th June, 2007

P.C.

1. Heard learned counsel for the applicant. None appeared for the respondent though served. We have perused the order dated 25th March, 2000 passed by the tribunal.

2. Having regard to the facts and circumstances of the case, called for the statement of the case with regard to the following substantial questions of law :

> Whether the Tribunal was justified in allowing the benefit under Notification No.38/97 CE dated 27.6.1997 as amended on 2.6.198 by Notification No.9/98, though prior to the amendment the goods were actually cleared on 21.5.1998 and 27.5.1998

Application stands disposed of accordingly.

(V.C.Daga, J) (Dr.S.Radhakrishnan, J)